

**U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 10
OFFICE OF COMPLIANCE AND ENFORCEMENT
PESTICIDES AND TOXICS UNIT
EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW ACT
EPCRA SECTION 312 INSPECTION**

Prepared 01/23/2013

REPORT PREPARED BY
Enforcement Coordinator

Suzanne Powers, Region 10 EPCRA/CERCLA

FACILITY NAME/ADDRESS/COUNTY

Fleischmann's Vinegar
1115 Zehnder Street
Sumner, WA 98390
Pierce County

Mailing address :

P.O. Box 488
Sumner, WA 98390
Telephone: (253) 863-9216

Headquarters

12604 Hiddencreek Way
Ste. A
Cerritos, CA 90703
Telephone: (562) 483-4619

FINANCIAL INFORMATION

Dun and Bradstreet Number: 10-592-2145
NACIS 311942

RefUSAGov

Private Business, Parent Company Rlj Equity Partners LLC
IUSA #: 009568072
Location Sales Volume: \$1,723,000.00 (June, 2012 update)

LexisNexis

Experian Number: 809344613
Legal status: Corporation
Sales: \$2,596.000-actual (June 18, 2012)

Facility Representative Present during the Inspection

*John Willard, Plant Manager

* Provided facility tour

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DATE OF INSPECTION

January 09, 2013

EPA INSPECTORS

Suzanne Powers, Region 10 EPCRA/CERCLA Enforcement Coordinator
Idell Hansen, SEE/EPCRA Investigator
Kathleen A. LeGreid, SEE/EPCRA Investigator

SERC for EPCRA Section 311/312 Notification

Hazardous Substance Information & Education Office
Washington State Department of Ecology
Sadie Whitener, contact
P.O. Box 47659
Olympia, WA 98504-7659
Telephone: (360)407-6729 Email swhi461@ecy.wa.gov

LEPC for EPCRA Section 311/312 Notification

Pierce County Office of Emergency Management
Katie Gillespie
2501 South 35th
Tacoma, WA 98409
Telephone: (253) 798-3311 Email kgilles@co.pierce.wa.us

Fire Department with Jurisdiction over the Facility

Corina Charest
East Pierce Fire and Rescue Headquarters Station, Station 11
18421 Veterans Memorial Drive East
Bonney Lake, WA 98391
Telephone: (253) 863-1800 Email: info@eastpiercefirer.org

PURPOSE OF INSPECTION

Compliance with EPCRA Section 312: This facility was identified on a discrepancy list of targeted facilities failing to file their 2011 Tier II reports with the Washington State SERC.

FACILITY DESCRIPTION

The facility is located in Sumner, WA. The original parent company, Fleischmann's Yeast, began on the East Coast 100 years ago. The yeast division was later separated from the vinegar division in the late 1950's. Fleischmann's Vinegar plant in Sumner has been at 1115 Zehnder St. since 1960. Fleischmann's Vinegar Company, Inc. has approximately 250 employees at multiple facilities.

There are four people who work at the facility. The two production employees are Union-Teamsters and do 95% of the production work. A small lab is equipped to do volumetric

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measurement on the vinegar. The lab can determine grain strength and pH of the vinegar for quality purposes.

Vinegar is produced at the facility by mixing purchased ethyl alcohol and water to make a mash to create white vinegar. (There is 0.3% residual alcohol.) (Organic syrup would be needed to make cider vinegar.) Each run take 42 to 50 hours. The grain vinegar produced is 100, 120, 150, 200, and 300 grain. Grain 200 is the most popular. The vinegar is shipped in bulk by tanker truck, 55 gallon drum, or 270 gallon tote. They have started selling 200 grain vinegar to farmers in 5 gallon pails (used mainly for weed control). Vinegar shipped is used for food and for cleaning products.

In the production process, dextrose monohydrate is used for the sugar and ammonia (compressed concentrate) is used to pull the water out of frozen vinegar and increase the grain. Fermentation occurs at 30.9 C to 31.0 C. No heat is needed for the process, because the fermentation and turbines in the tanks create heat; well water cools it down. There is an artesian well on the property to supply the water. Grain strength is increased by adding alcohol, 2.5%. Two alcohol tanks are fed through underground lines that lead to the rail line where rail cars unload the alcohol.

FACILITY INSPECTION/RECORDS REVIEW

Ted Mix, Retired EPA EPCRA Investigator, conducted an EPCRA 312 inspection on 03/31/2010 and determined Fleischmann's had not filed their 2008 and 2009 Tier II reports. This inspection was also conducted with Doug Johnson, Fleischmann's former Plant Manager.

The property on which Fleischmann's is located is currently owned by Bob Code, North Star Chemical, and is leased by Fleischmann's. According to Mr. Johnson, the lease expires in 2015. Mr. Johnson said; Bob Code has been seeking permits to be able to use the property as a bulk storage site for sodium hydroxide caustic. If the permits are granted, Fleischmann's Vinegar would like to remain in business at the site.

We arrived on the site at 8:53 a.m. The weather was approximately 45 degrees and raining. We met with the current Plant Manager, Mr. John Willard. We introduced ourselves, showed our credentials and explained the purpose of our inspection. Mr. Willard indicated that he was unaware of the Tier II reporting requirements for the facility. At approximately 9:30 a.m., Mr. Willard then took us on a tour of the facility.

CHEMICALS OF CONCERN

Information about the chemical inventory was determined both from the Tier II year 2009 report and visual inspection of chemicals on site during the inspection..

According to the 2009 Tier Two: **Anhydrous Ammonia:** 2,300 lbs. max., 1,000 lbs. avg., on site 365 days of the year. Located west of building 8, location #1. According to Mr. Willard, there is presently 500 pounds of NH3 on site.

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During the inspection, it was observed that no signage identified the ammonia compressors. There was some labeling on the piping. According to Mr. Willard: employees are typically on site Monday to Friday and weekend mornings. Custom Fire Alarm Company monitors the ammonia system and notifies the plant manager if the ammonia alarms are triggered. Photos: Figures 7, 8, 9, 10, 11, 12, 13

According to the 2009 Tier Two: **Ethyl Alcohol, 95%**; 304,000 lbs, max., 200,000 lbs. avg. on site 365 days of the year. Located N.E. of building 8, rail car, location #2.

Our inspection revealed that these tanks are on the N.E. side of the building and the rail cars are on the west side. According to Mr. Willard, the tanks are filled through underground lines using automatic valves. The alcohol stored on site is 190 proof which is approximately 95%. Photo: Figure 2 Rail cars.

Caustic Soda solution- 25% Sodium Hydroxide

According to the 2009 Tier Two: there is 2,575 lbs. max., 1,800 lbs. avg. Located S.W. of building 8.

Vinegar, Acetic Acid

According to the Tier Two: there is: 3,500,000 lbs. max. and an average of 2,100,000 lbs. on site 365 days a year. The vinegar is in mixed and stored in tanks including older, industrial, wood stave tanks. During the inspection we noted erosion of the concrete pads that these tanks were on. According to Mr. Willard there are 13 – 19,000 gallon wood stave tanks on site. Several of these tanks are full of vinegar solution which is contaminated with dirt and wood pieces and is being stored with no future intention of use or sale.

Photos: Figures 3, 4

INTERVIEWS

In conjunction with this investigation the following people were interviewed:

Sadie Whitener, Community Right-to-Know Specialist, Hazardous Substance Information Office, Washington State Department of Ecology: Ms. Whitener provided information on the records of the Washington SERC regarding the Tier II filing or lack thereof via Delinquent Report 2011 submitted to Idell Hansen. There was an in person interview between Sadie Whitener and Kathleen LeGreid on January 10, 2013 when the delinquent Tier II 2011 report was received by the Washington State Department of Ecology.

Corina Charest, East Pierce Fire and Rescue Headquarters Station, was interviewed via telephone by Kathleen LeGreid on January 15 and 23, 2013. On January 23, 2013 Corina Charest reported that Fleischmann's delinquent 2011 report had been received that day and that a search of her records showed previous 2007, 2009, 2010 records. All reports received by the East Pierce Fire and Rescue Headquarters Station are forwarded to the Pierce County Fire Marshall.

Katie Gillespie, Pierce County Office of Emergency Management was contacted via email by Kathleen LeGreid on January 15 and 24, 2013 in regards to Fleischmann's Vinegar. On January 24, 2013, Ms. Gillespie indicated, "I do not have a report from them in 2010, 2011, or 2012."

SUMMARY OF FINDINGS

COMPLIANCE WITH CERCLA 103/EPCRA 304

According to review of the facility records and interviews with the Plant Manager, Mr. Willard., no releases of chemicals have occurred at the facility.

COMPLIANCE WITH EPCRA 311/312

Fleischmann's had filed Tier II forms in the past, but failed to file for calendar year 2008. A copy of calendar year 2009 was provided to EPCRA Inspector Ted Mix on a 3/31/2010 inspection. However, an old WA SERC form had been used for 2009 and it was mailed to the wrong LEPC address. Mr. Mix recommended that Fleischmann's complete a new form and resubmit it. On 5/04/2010, the 2008 and 2009 forms were received by the SERC, LEPC and Fire Department and a copy was also received by Ted Mix.

There was no 2011, due March 1, 2012, submission of emergency and hazardous chemical inventory (Tier II) form to LEPC [EPCRA 312(a) and (b)]

There was no 2011, due March 1, 2012, submission of emergency and hazardous chemical inventory (Tier II) form to SERC [EPCRA 312(a) and (b)]

There was no 2011, due March 1, 2012, submission of emergency and hazardous chemical inventory (Tier II) form to Fire Department [EPCRA 312(a) and (b)]

After the tour, Suzanne Powers asked the plant manager to complete the 2011 Tier II reports and mail them to the Department of Ecology, LEPC, SERC and the Puyallup, Sumner, and East Pierce County Fire Departments.

At the time this report was prepared, the Department of Ecology confirmed receipt of the 2011 and 2012 Tier II reports. These were received by mail on January 10, 2012. They were signed on January 9, 2013 by John Willard, Plant Manager at Fleischmann's Vinegar. On January 23, 2013 Corina Charest, East Pierce Fire and Rescue Headquarters Station (copy to be forwarded to Pierce Co. Fire Marshall) reported that Fleischmann's delinquent 2011 report had been received.

ATTACHMENTS

Photo Log

Tier II report 2011 received by the Department of Ecology on January 10, 2013

Area Map from 2009 Tier II report with 2013 office trailer added